

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE:

Ronald M Heafner, II
Tammy G Heafner
SSN# : XXX-XX-5901
SSN# : XXX-XX-2819

CASE NO: 16-31148

Chapter 13

MOTION OF TRUSTEE TO MODIFY PLAN

The undersigned, being the Standing Trustee for the debtors listed above, hereby moves the court as follows:

Subsequent to the confirmation, the trustee has reviewed this case and believes the plan of the debtors will no longer meet the requirements of the bankruptcy code due to the following reason:

<u>Trustee Claim #</u>	<u>Clerk Claim #</u>	<u>Creditor Name</u>	<u>Account Number</u>	<u>Scheduled Claim Amnt</u>	<u>Asserted Claim Amnt</u>	<u>Claim Type</u>
4	6	MTGLQ INVESTORS LP	6719	\$124,199.00	\$125,001.29	M-Mortgage/Lease
20	9	GASTON COUNTY TAX COLLECTOR	9800	\$0.00	\$483.63	S-Secured-Pro-Rata

Post confirmation, MTGLQ INVESTORS LP filed a Notice of Mortgage Payment Change (NPC) which increased the debtor's monthly conduit payment. Additionally, GASTON COUNTY TAX COLLECTOR claim was not provided for in the existing plan and plan payments are in arrears. The plan is not sufficient to pay all claims as required by the order of confirmation and applicable law.

The trustee recommends that the plan be modified as follows :

Your monthly plan payment will be increased to \$2560.00.

DATED: August 08, 2017

Warren L. Tadlock
Standing Chapter 13 Trustee
5970 Fairview Road, Suite 650
Charlotte, NC 28210-2100

"Important Information on Reverse Side"

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NOTICE OF OPPORTUNITY FOR HEARING

The Chapter 13 trustee has filed papers in the bankruptcy case for the debtors named above requesting a Motion to Modify Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief requested by the trustee in the motion, or if you want the court to consider your views on the motion, then by August 30, 2017 you or your attorney must file with the court a written response to the motion and a request for a hearing at the following address:

CLERK, U.S. BANKRUPTCY COURT
401 W Trade St.
Charlotte, NC 28202

If you **mail** your response to the court for filing, you must mail it early enough for the court to **receive** it on or before the deadline stated above.

If you file a response, then a hearing on the trustee's motion will be held at the following time and place:

Date: September 12, 2017 Time: 10:00 AM

Location: CHARLES JONAS FEDERAL BUILDING
COURTROOM 1-5
401 WEST TRADE STREET
CHARLOTTE, NC 28202-1619

No hearing will be held unless a response is filed.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Dated: August 08, 2017

Warren L. Tadlock
Standing Chapter 13 Trustee
5970 Fairview Road, Suite 650
Charlotte, NC 28210-2100

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CERTIFICATE OF SERVICE

The parties whose names and addresses are listed below were served by United States first class mail, postage prepaid on August 09, 2017.

D. Morales

Office of the Chapter 13 Trustee

CAPITAL ONE BANK (USA) NA, PO BOX 71083, CHARLOTTE, NC 28272

CW NEXUS CREDIT CARD HOLDINGS 1 LLC, RESURGENT CAPITAL SERVICES, PO BOX 10368, GREENVILLE, SC 29603-0368

DIRECTV LLC, by American InfoSource LP as agent, PO Box 5008, Carol Stream, IL 60197-5008

DR FARID HANACHI, 1377 A EAST GARRISON BLVD, GASTONIA, NC 28054

GASTON COUNTY TAX COLLECTOR, 128 W MAIN STREET, GASTONIA, NC 28052

GASTON COUNTY TAX COLLECTOR, PO BOX 1578, GASTONIA, NC 28053-1578

HUTCHENS LAW FIRM, BANKRUPTCY DEPARTMENT, PO BOX 2505, FAYETTEVILLE, NC 28302

INTERNAL REVENUE SERVICE, PO BOX 7346, PHILADELPHIA, PA 19101-7346

MIDLAND FUNDING LLC, PO BOX 2011, WARREN, MI 48090

MRS BPO LLC, 1930 OLNEY AVENUE, CHERRY HILL, NJ 08003

MTGLQ INVESTORS LP, C/O RUSHMORE LOAN MANAGEMENT SERVICES, PO BOX 52708, IRVINE, CA 92619-2708

MTGLQ INVESTORS LP, C/O RUSHMORE LOAN MANAGEMENT, PO BOX 55004, IRVINE, CA 92619-2708

NCDR, PO BOX 25000, RALEIGH, NC 27640

QUANTUM 3 LLC, as agent for JH Portfolio Debt Equities LLC, PO BOX 788, Kirkland, WA 98083

Ronald M Heafner, II, Tammy G Heafner, 900 Union Hope Rd, Gastonia, NC 28056

ST JOHN COBB INC, 209 DELBURG STREET STE 106, DAVIDSON, NC 28036

TRULIANT FEDERAL CREDIT UNION, 3200 TRULIANT WAY, WINSTON SALEM, NC 27103

Total Served:17

UNDELIVERABLE MAIL (Insufficient Mailing Address)

Total:0